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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,442	01/23/2001	Lester A. LaMotte	960377.C11	2425

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EXAMINER

WOOD, KIMBERLY T

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 04/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/767,442

Applicant(s)

LAMOTTE, LESTER A.

Examiner

Kimberly T. Wood

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 11, 15, 20-22 and 28-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11, 15, 20-22, 28-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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This is the third office action for serial number 09/767,442, entitled Collapsible Display System, in response to Reconsideration, filed on June 18, 2002..

Response to Reconsideration

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4, 11, 15, 20-22, and 28-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "hollow tubular mounting rods" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "said flexible hollow brace members" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "said segmented struts" in line 4. There is insufficient antecedent basis for this limitation in the claim.

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Claim 4 recites the limitation "remaining terminal pin" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "each tube" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "telescoping members" line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "structures" in line 18. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "quadrilateral" in line 10. There is insufficient antecedent basis for this limitation in the claim..

Claim 15 recites the limitation "plurality strut members" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "a display unit" in line. There is insufficient antecedent basis for this limitation in the claim.

Claim 29 recites the limitation "mounting devices" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 32 recites the limitation "snap-fit connectors" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 33 recites the limitation "snap-fit connectors" in line 1. There is insufficient antecedent basis for this limitation in the claim.

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Claim 36 recites the limitation "a fixed member" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 36 recites the limitation "one or more receptors" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 36 recites the limitation "a snap-fit" in line 11. There is insufficient antecedent basis for this limitation in the claim.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 3 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification discloses that the brace members are telescoping members or a plurality of slip fitting segments but it does not disclose that the brace members are both telescoping members and a plurality of slip fitting segments.

The claims have been rejected under 35 U.S.C. 112 for the above reasons. Please note that the Examiner may not have pointed out each and every example of indefiniteness. The applicant is required to review all the claim language to make sure the claimed invention is clear and definite.

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 11, 15, 20-22, 26, 28-41, as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by Zeigler 5,444,946. Zeigler discloses the method of fastening display units (figure 2) providing a mounting members, brace members, locking device, and hub member.

Claim 15, as best understood, is rejected under 35 U.S.C. 102(b) as being anticipated by Allen 4,017,152. Allen discloses mounting members (14), a central hub (16), brace members (22), snap-fit connectors (110a and 110b).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Wood whose telephone number is (703) 308-0539. The examiner can normally be reached on Monday-Thursday from 7:30 AM to 5:00 PM. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168. The fax number for an Official

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Amendment or Response is (703) 872-9326. The fax number for an Official After Final

Amendment or Response is (703) 872-9327.

Kimberly Wood
Primary Examiner
April 2, 2003



KIMBERLY WOOD
PRIMARY EXAMINER